

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: October 12, 2004 Name: John C. Freeman

Signature: [Signature]

**BRINKS  
HOFFER  
GILSON  
& LIONE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Reiner Burgschat et al.

Appln. No.: 10/612,721

Examiner: Smith, Richard A

Filed: July 2, 2003

Art Unit: 2859

For: DEVICE AND PROCEDURE FOR  
THE ATTACHMENT OF A SCALE  
OR SCALE HOLDER OR A SCALE  
GUIDE AS WELL AS A SCALE,  
SCALE HOLDER OR GUIDE  
PROTECTIVE COVER

Attorney Docket No: 10338/12

Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Sir:

**Attached is/are:**

- ☒ Amendment Under 37 C.F.R. § 1.116
- ☒ Return Receipt Postcard

**Fee calculation:**

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			X \$9=			x \$18=	\$
Indep.		Minus			X \$44=			x \$88=	\$
First Presentation of Multiple Dep. Claim					+\$150=			+ \$300=	
					Total	\$		Total	\$86

**Fee payment:**

- ☐ A check in the amount of \$\_\_\_\_\_ to cover the above-identified fee(s) is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

October 12, 2004  
October 12, 2004

Respectfully submitted,

John C. Freeman  
John C. Freeman (Reg. No. 34,483)



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Commissioner for Patents, P.O. Box 1450  
Alexandria, VA 22313-1450 on October 12, 2004

Name of Registered Representative:

*John C. Freeman*

John C. Freeman, Reg. No. 34,483

*October 12, 2004*

Date of Signature

PATENT  
CASE NO. 10338/12

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application: )  
)  
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) Group Art Unit: 2859  
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) Examiner: Smith, Richard A.  
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**AMENDMENT UNDER 37 C.F.R. § 1.116**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Amendment is in response to the Office Action mailed on September 9, 2004. This Amendment is necessary and was not earlier presented, because it responds to a new restriction requirement. Since the restricted claims 14-18 are being canceled in the present Amendment so that only allowed claims 1-13 remain, entering the Amendment would lessen the issues for

appeal. Furthermore, it is not believed that the present Amendment would require a new search or present new issues. Accordingly, Applicants request that the present Amendment be considered and entered. Please cancel claims 14-18 without prejudice as follows: